

PROVIDING FOR THE CONSIDERATION OF H.R. 3, THE
JUVENILE CRIME CONTROL ACT OF 1997

MAY 6, 1997.—Referred to the House Calendar and ordered to be printed

Mr. SOLOMON, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 143]

The Committee on Rules, having had under consideration House Resolution 143, by a record vote of 8 to 3, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3, the “Juvenile Crime Control Act of 1997” under a modified closed rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on the Judiciary.

The rule provides that the committee amendment in the nature of a substitute will be considered as an original bill for the purpose of amendment and will be considered as read. The rule waives points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a), rule XXI (appropriations on a legislative bill).

The rule provides that no amendments to the committee amendment in the nature of a substitute will be in order except those printed in the Rules Committee report. It provides that each amendment may be offered only in the order printed in the report, shall be debatable for the time specified in the report equally divided between the proponent and an opponent, and is not amendable except as specified in the report.

The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce the vote to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit, with or without instructions.

COMMITTEE VOTES

Pursuant to clause 2(1)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Rollcall No. 16

Date: May 6, 1997

Measure: Rule for the consideration of H.R. 3, the Juvenile Crime Control Act of 1997.

Motion by: Mr. Moakley.

Summary of motion: Make in order Delahunt amendment that would delete the requirement that states receiving grant funds meet conditions relating to the states' treatment of juvenile offenders to be used for specifically enumerated juvenile crime prevention programs and would set aside 50% of the grant funds for such purposes.

Results: Defeated 2-8.

Vote by Members: Dreier—Nay; Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Hastings—Nay; Myrick—Nay; Moakley—Yea; Frost—Yea; Solomon—Nay.

Rules Committee Rollcall No. 17

Date: May 6, 1997.

Measure: Rule for the consideration of H.R. 3, the Juvenile Crime Control Act of 1997.

Motion by: Mr. Moakley.

Summary of motion: Make in order Schumer amendment No. 17 to require federally licensed firearms dealers to include a child safety lock as an accompaniment to each sale of a gun.

Results: Defeated 2-8.

Vote by Members: Dreier—Nay; Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Hastings—Nay; Myrick—Nay; Moakley—Yea; Frost—Yea; Solomon—Nay.

Rules Committee Rollcall No. 18

Date: May 6, 1997.

Measure: Rule for the consideration of H.R. 3, the Juvenile Crime Control Act of 1997.

Motion by: Mr. Dreier.

Summary of motion: To favorably report the resolution.

Results: Adopted 8-3.

Vote by Members: Dreier—Yea; Goss—Yea; Pryce—Yea; Diaz-Balart—Yea; McInnis—Yea; Hastings—Yea; Myrick—Yea; Moakley—Nay; Frost—Nay; Slaughter—Nay; Solomon—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE FOR
H.R. 3, THE JUVENILE CRIME CONTROL ACT OF 1997

(1) Gephardt—60 minutes: Substitute: Provides funding to communities for the implementation of a variety of research-proven, cost effective, and comprehensive initiatives, such as Safe Haven after-school programs and drug prevention; provides funding to localities for the construction and operation of secure juvenile facilities or the funds can be used to establish comprehensive treatment,

education, training and after-care programs focused on reducing recidivism and to establish initiatives to reduce juvenile access to guns; expedites to 90 days the time in which a judge must decide whether to transfer a juvenile to adult court; increases the penalties for the transfer of a handgun to a juvenile or for a juvenile to possess a handgun; provides a comprehensive review by the Attorney General to evaluate the effectiveness of federally funded programs for preventing juvenile violence and substance abuse; and funds the bill at \$1.5 billion over three years.

(2) Waters—10 minutes: Deletes the provision requiring the prosecution as adults of juveniles who are charged with conspiracy to commit drug crimes.

(3) Conyers—10 minutes: Retains current law regarding the prosecution of 13-year-olds as adults. It would eliminate provisions of H.R. 3 which expand current law.

(4) Scott—10 minutes: Strikes the language in the bill that allows states to use crime assistance funds on the building, operation, or expansion of prisons and detention centers.

(5) Lofgren—10 minutes: Amends the grant program created by H.R. 3 to permit grant funds to be used in specifically enumerated juvenile crime prevention programs and would set aside 50% of the grant funds for such purposes.

(6) Meehan—10 minutes: Allows the Director to give special priority for Byrne Discretionary Grants to public agencies that have proposed or have implemented strategies providing for cooperation between local state and federal law enforcement authorities to disrupt illegal gun sales to juveniles through crime gun tracing.

(7) Dunn—10 minutes: Requires states to submit a plan to the Attorney General, within one year of the bill's enactment, describing the process by which parents will be notified of a juvenile sex offenders enrollment in an elementary or secondary school, as a condition of eligibility for Byrne Grant funding.

(8) McCollum—10 minutes: Manager's Amendment. Makes technical and minor changes to Title I and Title III recommended by Justice Department.

1. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE GERHARDT OF MISSOURI OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 60 MINUTES

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Families First Juvenile Offender Control and Prevention Act of 1997”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

Sec. 101. Short title.

Sec. 102. Grant program.

TITLE II—VIOLENT JUVENILE OFFENDERS

Sec. 201. Time limit on transfer decision.

Sec. 202. Increased detention, mandatory restitution, and additional sentencing options for youth offenders.

Sec. 203. Juvenile handgun possession.
 Sec. 204. Access of victims and public to records of crimes committed by juvenile delinquents.

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

Sec. 301. Study by national academy of science.

**TITLE I—JUVENILE OFFENDER
 CONTROL AND PREVENTION GRANTS**

SEC. 101. SHORT TITLE.

This title may be cited as the “Juvenile Offender Control and Prevention Grant Act of 1997”.

SEC. 102. GRANT PROGRAM.

(a) **IN GENERAL.**—Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

**“PART R—JUVENILE OFFENDER CONTROL
 AND PREVENTION GRANTS**

“SEC. 1801. PAYMENTS TO LOCAL GOVERNMENTS.

“(a) **PAYMENT AND USES.**—

“(1) **PAYMENT.**—The Director of the Bureau of Justice Assistance may make grants to carry out this part, to units of local government that qualify for a payment under this part. Of the amount appropriated in any fiscal year to carry out this part, the Director shall obligate—

“(A) not less than 60 percent of such amount for grants for the uses specified in subparagraphs (A) and (B) of paragraph (2);

“(B) not less than 10 percent of such amount for grants for the use specified in paragraph (2)(C), and

“(C) not less than 20 percent of such amount for grants for the uses specified in subparagraphs (E) and (G) of paragraph (2).

“(2) **USES.**—Amounts paid to a unit of local government under this section shall be used by the unit for 1 or more of the following:

“(A) Preventing juveniles from becoming involved in crime or gangs by—

“(i) operating after-school programs for at-risk juveniles;

“(ii) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

“(iii) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

“(iv) establishing peer mediation programs in schools;

“(v) establishing big brother programs and big sister programs;

- “(vi) establishing anti-truancy programs;
- “(vii) establishing and operating programs to strengthen the family unit;
- “(viii) establishing and operating drug prevention, treatment and education programs; or
- “(ix) establishing activities substantially similar to programs described in clauses (i) through (viii).

“(B) Establishing and operating early intervention programs for at-risk juveniles.

“(C) Building or expanding secure juvenile correction or detention facilities for violent juvenile offenders.

“(D) Providing comprehensive treatment, education, training, and after-care programs for juveniles in juvenile detention facilities.

“(E) Implementing graduated sanctions for juvenile offenders.

“(F) Establishing initiatives that reduce the access of juveniles to fire arms.

“(G) Improving State juvenile justice systems by—

“(i) developing and administering accountability-based sanctions for juvenile offenders;

“(ii) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced; or

“(iii) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable;

“(H) providing funding to enable prosecutors—

“(i) to address drug, gang, and violence problems involving juveniles more effectively;

“(ii) to develop anti-gang units and anti-gang task forces to address the participation of juveniles in gangs, and to share information about juvenile gangs and their activities; or

“(iii) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

“(I) hiring additional law enforcement officers (including, but not limited to, police, corrections, probation, parole, and judicial officers) who are involved in the control or reduction of juvenile delinquency; or

“(J) providing funding to enable city attorneys and county attorneys to seek civil remedies for violations of law committed by juveniles who participate in gangs.

“(3) GEOGRAPHICAL DISTRIBUTION OF GRANTS.—The Director shall ensure that grants made under this part are equitably distributed among all units of local government in each of the States and among all units of local government throughout the United States.

“(b) PROHIBITED USES.—Notwithstanding any other provision of this title, a unit of local government may not expend any of the funds provided under this part to purchase, lease, rent, or otherwise acquire—

- “(1) tanks or armored personnel carriers;
- “(2) fixed wing aircraft;
- “(3) limousines;
- “(4) real estate;
- “(5) yachts;
- “(6) consultants; or
- “(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such purposes essential to the maintenance of public safety and good order in such unit of local government.

“(c) REPAYMENT OF UNEXPENDED AMOUNTS.—

“(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

“(A) paid to the unit from amounts appropriated under the authority of this section; and

“(B) not expended by the unit within 2 years after receipt of such funds from the Director.

“(2) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Director shall reduce payment in future payment periods accordingly.

“(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to units of local government shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources.

“(e) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

“SEC. 1802. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

“(1) \$500,000,000 for fiscal year 1998;

“(2) \$500,000,000 for fiscal year 1999; and

“(3) \$500,000,000 for fiscal year 2000.

The appropriations authorized by this subsection may be made from the Violent Crime Reduction Trust Fund.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 percent of the amount authorized to be appropriated under subsection (a) for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, and assuring compliance with the provisions of this part and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients. Such sums are to remain available until expended.

“(c) AVAILABILITY.—The amounts authorized to be appropriated under subsection (a) shall remain available until expended.

“SEC. 1803. QUALIFICATION FOR PAYMENT.

“(a) IN GENERAL.—The Director shall issue regulations establishing procedures under which a unit of local government is required

to provide notice to the Director regarding the proposed use of funds made available under this part.

“(b) PROGRAM REVIEW.—The Director shall establish a process for the ongoing evaluation of projects developed with funds made available under this part.

“(c) GENERAL REQUIREMENTS FOR QUALIFICATION.—A unit of local government qualifies for a payment under this part for a payment period only if the unit of local government submits an application to the Director and establishes, to the satisfaction of the Director, that—

“(1) the chief executive officer of the State has had not less than 20 days to review and comment on the application prior to submission to the Director;

“(2)(A) the unit of local government will establish a trust fund in which the government will deposit all payments received under this part; and

“(B) the unit of local government will use amounts in the trust fund (including interest) during a period not to exceed 2 years from the date the first grant payment is made to the unit of local government;

“(3) the unit of local government will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the unit of local government;

“(4) the unit of local government will use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Director after consultation with the Comptroller General and as applicable, amounts received under this part shall be audited in compliance with the Single Audit Act of 1984;

“(5) after reasonable notice from the Director or the Comptroller General to the unit of local government, the unit of local government will make available to the Director and the Comptroller General, with the right to inspect, records that the Director reasonably requires to review compliance with this part or that the Comptroller General reasonably requires to review compliance and operation;

“(6) the unit of local government will spend the funds made available under this part only for the purposes set forth in section 1801(a)(2);

“(8) the unit of local government has established procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1293 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel using funds made available under this title. The nature and extent of such employment preference shall be jointly established by the Attorney General and the Secretary of Defense. To the extent practicable, the Director shall endeavor to

inform members who were separated between October 1, 1990, and the date of the enactment of this section of their eligibility for the employment preference;

“(d) SANCTIONS FOR NONCOMPLIANCE.—

“(1) IN GENERAL.—If the Director determines that a unit of local government has not complied substantially with the requirements or regulations prescribed under subsections (a) and (c), the Director shall notify the unit of local government that if the unit of local government does not take corrective action within 60 days of such notice, the Director will withhold additional payments to the unit of local government for the current and future payment periods until the Director is satisfied that the unit of local government—

“(A) has taken the appropriate corrective action; and

“(B) will comply with the requirements and regulations prescribed under subsections (a) and (c).

“(2) NOTICE.—Before giving notice under paragraph (1), the Director shall give the chief executive officer of the unit of local government reasonable notice and an opportunity for comment.

“(e) MAINTENANCE OF EFFORT REQUIREMENT.—A unit of local government qualifies for a payment under this part for a payment period only if the unit’s expenditures on law enforcement services (as reported by the Bureau of the Census) for the fiscal year preceding the fiscal year in which the payment period occurs were not less than 90 percent of the unit’s expenditures on such services for the second fiscal year preceding the fiscal year in which the payment period occurs.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by striking the matter relating to part R and inserting the following:

“PART R—JUVENILE CRIME CONTROL GRANTS

“Sec. 1801. Payments to local governments.

“Sec. 1802. Authorization of appropriations.

“Sec. 1803. Qualification for payment.”.

TITLE II—VIOLENT JUVENILE OFFENDERS

SEC. 201. TIME LIMIT ON TRANSFER DECISION.

Section 5032 of title 18, United States Code, is amended by inserting “The transfer decision shall be made not later than 90 days after the first day of the hearing,” after the first sentence of the 4th paragraph.

SEC. 202. INCREASED DETENTION, MANDATORY RESTITUTION, AND ADDITIONAL SENTENCING OPTIONS FOR YOUTH OFFENDERS.

Section 5037 of title 18, United States Code, is amended to read as follows:

“§ 5037. Dispositional hearing

“(a) IN GENERAL.—

“(1) HEARING.—In a juvenile proceeding under section 5032, if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile not later than 20 court days after the finding of juvenile delinquency unless the court has ordered further study pursuant to subsection (e).

“(2) REPORT.—A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the attorney for the juvenile, and the attorney for the government.

“(3) ORDER OF RESTITUTION.—After the dispositional hearing, and after considering any pertinent policy statements promulgated by the Sentencing Commission pursuant to 994, of title 28, the court shall enter an order of restitution pursuant to section 3556, and may suspend the findings of juvenile delinquency, place the juvenile on probation, commit the juvenile to official detention (including the possibility of a term of supervised release), and impose any fine that would be authorized if the juvenile had been tried and convicted as an adult.

“(4) RELEASE OR DETENTION.—With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to the provisions of chapter 207.

“(b) TERM OF PROBATION.—The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

“(c) TERM OF OFFICIAL DETENTION.—

“(1) MAXIMUM TERM.—The term for which official detention may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

“(A) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

“(B) 10 years; or

“(C) the date on which the juvenile achieves the age of 26.

“(2) APPLICABILITY OF OTHER PROVISIONS.—Section 3624 shall apply to an order placing a juvenile in detention.

“(d) TERM OF SUPERVISED RELEASE.—The term for which supervised release may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583 shall apply to an order placing a juvenile on supervised release.

“(e) CUSTODY OF ATTORNEY GENERAL.—

“(1) IN GENERAL.—If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, it may commit the juvenile, after notice and hearing at which the juvenile is represented by an attorney, to the custody of the Attorney General for observation and study by an appropriate agency or entity.

“(2) OUTPATIENT BASIS.—Any observation and study pursuant to a commission under paragraph (1) shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information, except that in the case of an alleged juvenile delinquent, inpatient study may be ordered with the consent of the juvenile and the attorney for the juvenile.

“(3) CONTENTS OF STUDY.—The agency or entity conducting an observation or study under this subsection shall make a complete study of the alleged or adjudicated delinquent to ascertain the personal traits, capabilities, background, any prior delinquency or criminal experience, any mental or physical defect, and any other relevant factors pertaining to the juvenile.

“(4) SUBMISSION OF RESULTS.—The Attorney General shall submit to the court and the attorneys for the juvenile and the government the results of the study not later than 30 days after the commitment of the juvenile, unless the court grants additional time.

“(5) EXCLUSION OF TIME.—Any time spent in custody under this subsection shall be excluded for purposes of section 5036.

“(f) CONVICTION AS ADULT.—With respect to any juvenile prosecuted and convicted as an adult pursuant to section 5032, the court may, pursuant to guidelines promulgated by the United States Sentencing Commission under section 994 of title 28, determine to treat the conviction as an adjudication of delinquency and impose any disposition authorized under this section. The United States Sentencing Commission shall promulgate such guidelines as soon as practicable and not later than 1 year after the date of enactment of this Act.

“(g)(1) A juvenile detained either pending juvenile proceedings or a criminal trial, or detained or imprisoned pursuant to an adjudication or conviction shall be substantially segregated from any prisoners convicted for crimes who have attained the age of 21 years.

“(2) As used in this subsection, the term “substantially segregated”—

“(A) means complete sight and sound separation in residential confinement; but

“(B) is not inconsistent with—

“(i) the use of shared direct care and management staff, properly trained and certified to interact with juvenile offenders, if the staff does not interact with adult and juvenile offenders during the same shift.

“(ii) incidental contact during transportation to court proceedings and other activities in accordance with regulations issued by the Attorney General to ensure reasonable efforts are made to segregate adults and juveniles.”

SEC. 203. JUVENILE HANDGUN POSSESSION.

Section 924(a)(6) of title 18, United States Code, is amended—

(1) by striking all that precedes subparagraph (B) and inserting the following:

“(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, and for a second or subsequent violation, or for a first violation committed after an adjudication of delinquency for an act that, if committed by an

adult, would be a serious violent felony (as defined in section 3559(c) of this title), shall be fined under this title, imprisoned not more than 5 years, or both.”;

(2) in subparagraph (B)(i), by striking “one year” and inserting “5 years”; and

(3) in subparagraph (B)(ii), by striking “not more than 10 years” and inserting “not less than 3 nor more than 10 years”.

SEC. 204. ACCESS OF VICTIMS AND PUBLIC TO RECORDS OF CRIMES COMMITTED BY JUVENILE DELINQUENTS.

Section 5038 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “Throughout and upon” and all that follows through the colon and inserting the following: “Throughout and upon completion of the juvenile delinquency proceeding pursuant to 5032(a), the court records of the original proceeding shall be safeguarded from disclosure to unauthorized persons. The records shall be released to the extent necessary to meet the following circumstances:”;

(2) in subsection (a)(3), by inserting before the semicolon “or analysis requested by the Attorney General”;

(3) in subsection (c), inserting before the comma and after “relating to the proceeding” the phrase “other than necessary docketing data”; and

(4) by striking subsections (d) and (f), by redesignating subsection (e) as subsection (d), by inserting “pursuant to section 5032(b) or (c)” after “adult” in subsection (d) as so redesignated, and by adding at the end new subsections (e) and (f) as follows:

“(e) Whenever a juvenile has been adjudicated delinquent for an act that if committed by an adult would be a felony or for a violation of section 924(a)(6), the juvenile shall be fingerprinted and photographed, and the fingerprints and photograph shall be sent to the Federal Bureau of Investigation. The court shall also transmit to the Federal Bureau of Investigation the information concerning the adjudication, including name, date of adjudication, court, offenses, and sentence, along with the notation that the matter was a juvenile adjudication. The fingerprints, photograph, and other records and information relating to a juvenile described in this subsection, or to a juvenile who is prosecuted as an adult pursuant to sections 5032 (b) or (c), shall be made available in the manner applicable to adult defendants.

“(f) In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section whenever the same circumstances exist.”.

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

SEC. 301. STUDY BY NATIONAL ACADEMY OF SCIENCE.

(a) **IN GENERAL.**—The Attorney General shall enter into a contract with a public or nonprofit private entity, subject to subsection (b), for the purpose of conducting a study or studies—

(1) to evaluate the effectiveness of federally funded programs for preventing juvenile violence and juvenile substance abuse;

(2) to evaluate the effectiveness of federally funded grant programs for preventing criminal victimization of juveniles;

(3) to identify specific Federal programs and programs that receive Federal funds that contribute to reductions in juvenile violence, juvenile substance abuse, and risk factors among juveniles that lead to violent behavior and substance abuse;

(4) to identify specific programs that have not achieved their intended results; and

(5) to make specific recommendations on programs that—

(A) should receive continued or increased funding because of their proven success; or

(B) should have their funding terminated or reduced because of their lack of effectiveness.

(b) **NATIONAL ACADEMY OF SCIENCES.**—The Attorney General shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or nonprofit private entities.

(c) **ASSISTANCE.**—In conducting the study under subsection (a) the contracting party may request analytic assistance, data, and other relevant materials from the Department of Justice and any other appropriate Federal agency.

(d) **REPORTING REQUIREMENTS.**—

(1) **IN GENERAL.**—Not later than January 1, 2000, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.

(2) **CONTENTS.**—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(e) **FUNDING.**—There are authorized to be appropriated to carry out the study under subsection (a) such sums as may be necessary.

2. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Page 4, beginning in line 15, strike “that felony” and all that follows through line 18 and insert “a serious violent felony.”

Page 6, beginning in line 15 strike “or a conspiracy” and all that follows through “846” in line 18.

Page 6, beginning in line 23, strike “or a conspiracy” and all that follows through line 2 on page 7 and insert a period.

3. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONYERS OF MICHIGAN OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Page 4, beginning in line 24, strike “if the juvenile is alleged to have committed an act after the juvenile has attained the age of 13 years which if committed by a juvenile after the juvenile attained the age of 14 years would require that the juvenile be prosecuted as an adult under subsection (b), upon approval of the Attorney General.” and insert “, upon approval of the Attorney General, if the juvenile is alleged to have committed, after the juvenile has attained the age of 13 years and before the juvenile has attained the age of 14 years, an act which if committed by an adult would be an offense under section 113(a), 113(b), 113(c), 1111, 1113, or, if the juvenile possessed a firearm during the offense, section 2111, 2113, 2241(a), or 2231(c) of this title.”.

4. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT OF VIRGINIA OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Page 2, strike lines 14 through 16.

5. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOFGREN OF CALIFORNIA OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Page 24, after the line 9, insert the following:

“(12) preventing young Americans from becoming involved in crime or gangs by—

“(A) operating after school programs for at-risk youth;

“(B) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

“(C) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

“(D) establishing peer mediation programs in schools;

“(E) establishing big brother/big sister programs;

“(F) establishing anti-truancy programs;

“(G) establishing community based juvenile crime prevention programs that include a family strengthening component;

“(H) establishing community based juvenile crime prevention programs that identify and intervene with at-risk youth on a case-by-case basis;

“(I) establishing drug prevention, drug treatment, or drug education programs;

“(J) establishing intensive delinquency supervision programs;

“(K) implementing a structured system of wide ranging and graduated diversions, placements, and dispositions that combines accountability and sanctions with increasingly intensive treatment and rehabilitation services in order to induce law-abiding behavior and prevent a juvenile’s further involvement with the juvenile justice system; that integrates the family and community with the sanctions, treatment, and rehabilitation; and is balanced and humane; and

“(L) establishing activities substantially similar to programs described in subparagraphs (A) through (K).

“(c) REQUIRED USE.—A unit of local government which receives funds under this part shall use not less than 50 percent of the amount received to carry out the purposes described in subsection (b)(12).”.

6. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE MEEHAN OF MASSACHUSETTS OR A DESIGNEE, DEBATABLE OR NOT TO EXCEED 10 MINUTES

Add at the end the following:

**TITLE —SPECIAL PRIORITY FOR
CERTAIN DISCRETIONARY GRANTS**

SEC. . SPECIAL PRIORITY.

Section 517 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following:

“(c) SPECIAL PRIORITY.—In awarding discretionary grants under section 511 to public agencies to undertake law enforcement initiatives relating to gangs, or to juveniles who are involved or at risk of involvement in gangs, the Director shall give special priority to a public agency that includes in its application a description of strategies, either in effect or proposed, providing for cooperation between local, State, and Federal law enforcement authorities to disrupt the illegal sale or transfer of firearms to or between juveniles through tracing the sources of crime guns provided to juveniles.”.

7. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUNN OF WASHINGTON OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Add at the end the following new title:

TITLE —GRANT REDUCTION

SEC. 01. PARENTAL NOTIFICATION.

(a) GRANT REDUCTION FOR NONCOMPLIANCE.—Section 506 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following:

“(g) INFORMATION ACCESS.—

“(1) IN GENERAL.—The funds available under this subpart for a State shall be reduced by 20 percent and redistributed under paragraph (2) unless the State—

“(A) submits to the Attorney General, not later than 1 year after the date of the enactment of the Juvenile Crime Control Act of 1997, a plan that describes a process to notify parents regarding the enrollment of a juvenile sex offender in an elementary or secondary school that their child attends; and

“(B) adheres to the requirements described in such plan in each subsequent year as determined by the Attorney General.

“(2) REDISTRIBUTION.—To the extent approved in advance in appropriations Acts, any funds available for redistribution shall be redistributed to participating States that have submitted a plan in accordance with paragraph (1).

“(3) COMPLIANCE.—The Attorney General shall issue regulations to ensure compliance with the requirements of paragraph (1).

8. THE AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCOLLUM OF FLORIDA OR A DESIGNEE, DEBATABLE FOR NOT TO EXCEED 10 MINUTES

Page 4, line 21, strike “public safety” and insert “justice”.

Page 22, beginning in line 4, strike “Director of the Bureau of Justice Assistance” and insert “Attorney General”.

Page 24, beginning in line 12, strike “Director” and insert “Attorney General”.

Page 24, line 14, strike “Director” and insert “Attorney General”.

Page 27, lines 10, 12, and 16, strike “Director” and insert “Attorney General”.

Page 28, beginning in line 7, and in line 19, strike “Director” and insert “Attorney General”.

Page 31, lines 5, 12, 16, 19, 22, strike “Director” each place it appears and insert “Attorney General”.

Page 32, lines 4, 10, 11, 13, beginning in line 15, and on line 19, strike “Director” and insert “Attorney General”.

Page 34, line 2, strike “Director” and insert “Attorney General”.

Page 36, strike lines 3 through 4 and insert the following:

“(7) The term ‘serious violent crime’ means murder, aggravated sexual assault, and assault with a firearm.

Page 36, lines 15 and 19, strike “Director” and insert “Attorney General”.

Page 22, line 14, after “expanding” insert “, renovating,”.

Page 22, line 16, before the semicolon insert “, including training of correctional personnel”.

Page 32, line 1, strike “90” and insert “180”.

Page 32, line 24, strike “one” and insert “10”.

